

# GENERAL COUNSEL'S REPORT COVER PAGE

October 26, 2016

A. NHC/Maury Regional Transitional Care Center, Columbia (Maury County), TN — CN1307-025AE

The establishment of a 112-bed\* Medicare skilled nursing home to be known as NHC/Maury Regional Transitional Care Center pursuant to T.C.A. § 68-11-1627, which permits the replacement of one or more currently licensed nursing homes with one single nursing home. The new facility will be created by relocating and replacing the 92-bed NHC Healthcare, Hillview and the 20-bed Maury Regional Hospital Skilled Nursing Unit to an 11 acre site at 5004 Trotwood Avenue, Columbia (Maury County), TN. The estimated project cost is \$18,161,672.

Because of delays related to zoning approval, sanitary sewer location and final approval of schematic drawings, the applicant sought an extension of the expiration date from December 1, 2015, to January 1, 2017, which the Agency unanimously approved on 8/26/15

A 3 month extension request, from January 1, 2017 to April 1, 2017, because the project has experienced additional delays, primarily due to a significant shortage of manpower for electrical and HVAC work, which resulted in the subcontractor having to engage workers from out of state. The project was approximately 72% completed as of the end of July, and construction is projected to be completed approximately November 11, 2016. It is possible that the project will be completely finished by the current expiration date of January 1, 2017, but there are concerns that installation of furnishings and scheduling final inspections during the holiday season may delay licensing approval beyond the certificate of need expiration date.

# BUTLER | SNOW

September 6, 2016

Jim Christoffersen, Esq.  
General Counsel  
Tennessee Health Services and  
Development Agency  
Andrew Jackson Building, 9th Floor  
502 Deaderick Street  
Nashville, TN 37243

RE: NHC/Maury Regional Transitional Care Center, CN1307-025A

Dear Mr. Christoffersen:

The purpose of this letter to request extension of the expiration date of the certificate of need referenced above from January 1, 2017 to April 1, 2017, based on the reasons set forth below.

## Background

NHC/Maury Regional Transitional Care Center (the "Center") is a 112-bed skilled nursing facility that relocates and combines the existing 92-bed NHC-Hillview Health Care Center and the 12-bed skilled nursing unit currently located at Maury Regional Medical Center ("MRMC"). The Center is jointly owned by NHC and MRMC. The project was approved by the agency on October 23, 2013, with the original certificate of need scheduled to expire on December 1, 2015. Because of delays related to zoning approval, sanitary sewer location and final approval of schematic drawings, the applicant sought an extension of the expiration date until January 1, 2017, and the Agency approved this request at its meeting on August 26, 2015.

## Current Status of the Project

The project has experienced additional delays, primarily due to a significant shortage of manpower for electrical and HVAC work, which resulted in the subcontractor having to engage workers from out of state. Notwithstanding this complication, the project was approximately 72% completed as of the end of July, and construction is projected to be completed approximately November 11, 2016. It is possible that the project will be completely finished by the current expiration date of January 1, 2017, but there are concerns that installation of furnishings and scheduling final inspections during the holiday season may delay licensing approval beyond the certificate of need expiration date.

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Requested Extension

In order to provide sufficient time to accommodate unforeseen complications and to allow time for final inspections and licensing approval, an additional extension of 3 months until April 1, 2017, is respectfully requested. We do not believe an additional filing fee for this request is required, because the maximum filing fee applicable to this project has previously been paid through a combination of (1) the original filing fee of \$40,722 and (2) the filing fee of \$4,278 paid in connection with the first extension request.

We would appreciate this request being included on the agenda for the Agency's meeting scheduled for October 26, 2016. Please let us know if you have questions or if you need additional information.

Very truly yours,

BUTLER SNOW LLP



Dan H. Elrod

clw

cc: Bruce Duncan



**State of Tennessee**

**Health Services and Development Agency**

Andrew Jackson, 9<sup>th</sup> Floor, 502 Deaderick Street, Nashville, TN 37243  
[www.tn.gov/hsda](http://www.tn.gov/hsda) Phone: 615-741-2364 Fax: 615-741-9884

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August 27, 2014

Bruce K. Duncan, Assistant Vice President  
National HealthCare Corporation  
100 Vine Street, 12th Floor  
Murfreesboro, TN 37130

RE: NHC/Maury Regional Transitional Care Center - CN1307-025AM

Dear Mr. Duncan:

As referenced in our recent letter, please find enclosed your revised Certificate of Need for the above-referenced application, which modifications and/or an extension of the expiration date were approved at the June 25, 2014 meeting of the Tennessee Health Services and Development Agency.

Should you have any questions or require further information regarding this Certificate, please do not hesitate to contact this office.

Sincerely,

A handwritten signature in black ink, appearing to read "James B. Christoffersen".

James B. Christoffersen  
General Counsel

JBC/mab

Enclosure

cc: Trent Sansing, Division of Health Statistics, Office of Policy, Planning & Assessment  
Ann R. Reed, Health Care Facilities - Licensure  
Bill Harmon, Director of Engineering, Health Care Facilities

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STATE OF TENNESSEE  
Health Services and Development Agency



Certificate of Need No. **CN1307-025AM** is hereby granted under the provisions of T.C.A. § 68-11-1601, *et seq.*, and rules and regulations issued thereunder by this Agency.

To: NHC-Maury Regional Transitional Care, LLC  
100 Vine Street  
Murfreesboro, TN 37130

For: NHC/Maury Regional Transitional Care Center

This Modified Certificate is issued for: The establishment of a 112-bed\* Medicare skilled nursing home to be known as NHC/Maury Regional Transitional Care Center pursuant to T.C.A. § 68-11-1627 which permits the replacement of one or more currently licensed nursing home with one single nursing home. The new facility will be created by relocating and replacing the 92-bed NHC Healthcare, Hillview and the 20-bed Maury Regional Hospital Skilled Nursing Unit to an 11 acre site.

\* These beds are not subject to the 2013-2014 Nursing Home Bed Pool.

\* This Certificate is a replacement of the originally issued Certificate of Need pursuant to Agency Rule 0720-10-.06 Expiration, Revocation, and Modification of Issued Certificates. On June 24, 2014, a transfer of control was approved from NHC-Maury Regional Healthcare, LLC (a Tennessee liability company) to NHC-Maury Regional Transitional Care, LLC (a Delaware limited liability company). The transfer from a Tennessee limited liability company to a Delaware limited liability company did not change the ultimate ownership: 80% NCH/OP, L.P./20% Maury Regional Medical Center.

On the premises located at: 5004 Trotwood Avenue  
Columbia (Maury), TN 38401

For an estimated project cost of: \$18,161,672.00

The Expiration Date for this Certificate of Need is

December 1, 2015

or upon completion of the action for which the Certificate of Need was granted, whichever occurs first. After the expiration date, this Certificate of Need is null and void.

Date Approved: October 23, 2013

Chairman

Date Issued: November 20, 2013

Date Modified: June 25, 2014

Date Reissued: July 23, 2014

Executive Director